Previous references.

(24-P)

1903-04

(Sep. Rev.)

SR File No. 144 of 03 04

Serial Nos. 1-2

Later references.

S. R. 145-03.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for

SUBJECT

Amendments to Foreign Liquor Rules.

Sl.1. From the Excise comr.

No: 6736/264. 22.2.04.

Submits an amendment of Rule XII relating to the vend of Foreign Liquors.

Sl.2. To — do —, to the D.C's of Kolar, & to the comptroller.

No: 708-17

Ex.7.3.01. 26.4.04.

Approves the above and requests the Compiler to publish the same in the Mysore gazette with the Notificati

G. R. S. 58

GPB—4,000—4-7-11

Mr. S. Krishna Rao

Memo with Notification dated 10-5-04

OFFICE OF THE DEWAN OF MYSORE,

REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

‡ **Subject.** The Excise Commissioner's letter No 6736/264 dated 22nd/25th February 1904, submitting for a proposal for the amendment of Rule XII relating to the vend of Foreign Liquors

C1 SLJ

* **Note.** Rule XII, as it stands, empowers holders of licenses under Rule II, except the licensees of retail taverns for the sale of draught malt liquors, to sell double-distilled or rectified spirits of strength not down to 15° U.P. and other Special liquors manufactured in the Mysore Govt. Central distillery. (correct.)

A

B

The Mysore Excise Rules provide that the manufacturer may, with the Excise Commissioner's previous permission manufacture and sell double-distilled and rectified country spirits and Special liquors of strength not below 15° U.P., to licensed vendors of Foreign Spirits & fermented liquors at their own rates (Ex. Rule V. 2. 9)

C2

Upon a representation made by Mr. Forrester, Agent of Messrs Arbuthnot & Co, the Excise Commissioner

* 1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

‡ 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

14

Commissioner proposes, in his letter under reference, that Rule XII should be amended so as to enable all holders of licenses mentioned in Rule II, except the retail vendors of draught malt-liquors, to sell double-distilled spirits and special liquors of such strengths below 15° U.P. as may be allowed by the Excise Commissioner.

The reason he gives in support of this proposal is that "a demand is springing for our distillery double-distilled & special liquors of a reduced strength on account of their improved quality and as unlike imported European liquors full duty is collected on them, the benefit for the State Revenue is quite apparent.

The Excise Commissioner's proposal is not a new one. It has more than once before this come before the Government in a slightly different form. A proposal was made so long back as 1893 by the then Excise Commissioner Mr. L. Ricketts to lower the strength of double-distilled spirits and special liquors permitted to be sold by Foreign liquor shop-keepers from 10° U.P. down to 30° U.P. (vide Mr. L. Ricketts letter No 147/173 dated 30th Oct 1893).

Mr. Ricketts based his proposal on the

grounds

the arrack-shop-keeper ~~[illegible]~~ whose selling price is now fixed would be handicapped.

(h) The sale of 20° + 30° U.P. spirits at the bar of foreign liquor shops should be stopped and the sale of imported liquor of strengths below 15°, restricted.

(i) To protect Govt. interests, it ought to be declared that all imported liquor below 15° U.P. would be considered as "country" liquor

(j) Double-distilled spirits at 20° + 30° U.P. should then be sold bottled, in foreign liquor shops.

Upon this the Excise Commissioner's proposal was modified and Govt. were pleased to issue Notifn No 21,873 / R. 2,336 dated 11/15-6-1894, providing for the lowering of the strength to 20° U.P., with a view to place the double-distilled spirits + special liquors on an equal footing with Arrack.

S.R 119-93/F

Even this does not appear to have been satisfactory. For in June 1901 the Excise Commissioner, Mr. Ramayya submitted to Govt. a proposal to amend the rules regulating the sale of foreign liquors in the State. His proposal carried the sanction of Govt. and accordingly Notifn No 104160 / R.7.119-93, dated 30th June 1901 was issued. By this the minimum strength of saleable double-distilled

G

S.R H 43-00-3

Double-distilled Spirits in Bayonne
was once again raised to 15° U.P. &
a restriction was placed on the sale
of Foreign Spirits to the effect that
no Foreign liquor below 15° U.P. was
to be sold under any of the licenses
~~granted under~~ mentioned in Rule 11. ~~Evidently~~,
the Excise Commrs object in thus
restricting the sale of Foreign liquor
was to guard against the importa-
tion of cheap and spurious Foreign
liquors of inferior grades, as is
apparent from his D.O. letter to Govt. dated I
8/8/01. He hit upon this effectual plan,
as it would not pay the vendor to im-
port high grade Foreign or even Indian
liquor, manufactured outside Bayonne,
to cater to the ordinary consumer, so
as to suit his taste and purse. This
was indirectly protecting the home-
manufacture. In his D.O. letter above I
referred to he protests against ~~relaxing~~
~~the Govt. rule~~ removing the disability
at the instance of a few complaining
Shop-Keepers.

Now, it is seen that the Excise Commrs
has all along been striving hard
to beat the Foreign liquor out-
of our markets and that the
present proposal is another
attempt

attempt in the same direction. The Excise Commr. has given clear expression to this effect in his draft memo on the Notification of the Sale of Excise privileges for 1904-05, submitted for approval of Govt with his letter No 6737/265 dated 23/25 February 1904. Here he says - "The present provision is intended to supplant the cheap foreign liquor from Rural parts (the Mofussil) and the advantage is as explained in my letter No. 6786/264 of 22/25 instant, that while we get no duty on Consumed foreign liquor, (clandestinely smuggled in) we, on the other hand, get the prescribed duty on distillery Special liquors as they soon supplanting foreign liquor which gives us only a insignificant-license fee."

It seems therefore necessary to consider how all that was said & done on previous occasions when the same question cropped up.

At the time when Mr Macdonnell prepared this note the conditions were differently

were different: Messrs Parry & Co, who were the manufacturers, owned sugar refineries outside Europe & carried on distillation of spirits & sold the same at Madras. Much of their liquor found its way into Europe as "Foreign liquor". On this account Mr Macdonell thought had reason to think that unless they were compelled to add their double ex[illegible] spirits to the vendible article fixed by Govt, which was to be cheaper than the cheapest foreign liquor sold in the market, there would be no chance for the home-made liquor to crush the foreign one out of the Own market.

Although this state of things does not obtain at present with Messrs Arbuthnott & Co as our manufacturers, still this matter has to be considered in framing new rules or altering the existing ones, so as to safeguard the interests of Govt when a new manufacturer comes in at the end of the term of Messrs Arbuthnott & Co's Contract.

As regards Mr Macdonell's re-
-commendation to fix a retail
price

price of double-distilled liquor in Foreign liquor shops, the Excise Commissioner has provided for it in the amendment now proposed, as also in the matter of selling the special liquors in duly sealed bottles.

As regards the lowering of the strength of the double-distilled & special liquors, it is a question whether the reasons which induced the Excise Commissioner and the Govt. to raise the strength from 25° U.P. to 15° U.P in 1901 do not hold good even now. However, as the Excise Commissioner's request is only to empower him to order the manufacture & sale of special & double-distilled liquors of lower strengths than 15° U.P. whenever he considers necessary and as he might be expected to exercise the power with discretion and take into the interests of Govt, this proposal may be given effect to.

Mr. 4.3.04

This may be done; but Rule V (2) & (3) of the Arrack Rules will require revision

5/3/04

Subd to the Hon'ble through the 2nd Commissioner

5/3/04

736
5-3-04
5-30 P.M.

3 i

This long note contains much useful information but I don't think it was really necessary. For exactly reasons the Excise Commissioners propose to modify Rule XII of the Foreign Liquor Rules by the substitution of "at 15° U.P." and merely omit the Special Exemption of the Excise Commissioners at "Cantonments" Lawrence Peak for "at Breach Lawrence Peak 15° U.P." The object is to substitute as far as possible uniformity of foreign liquor which pays no duty by one and special liquor which pays a duty. The alteration proposed is suitable and may be sanctioned.

Secretary
7-3-04

1667°/19.3.04

Circulate to Council

22.3.04

26/3

Notification No 718/4.7.3-07 dt 26/4/04, amending rule XII of the Foreign Liquor Rules was published in the Gazette of Govt. Pro:

No 708-17/4.7.3-07 dt 26/4/04 Mk

C. 285

3

Council matter for disposal by Circulation.

Subject.

Modification of Rule XII of the Foreign Liquor Rules. So as to provide for the Sale by licensees, of Double Distelled Spirits and Special liquors of such Strengths below 15° U.P. as may be allowed by the Excise Commr.

Circulated to Councillors.

By Order,
M. Chandrasekhar
Deputy Secretary.

30-3- 1904

Name	Remarks by the Councillor.
C Sreenivasaingar Esqr ~~V. P. Madhava Rao, Esq., C.I.E.,~~ First Councillor. Sent on ____ Received on ____	Seen by the Councillor
P.K. Venkatavaradaiingar Esqr ~~C. Sreenivasiengar, Esq.~~, Second Councillor. Sent on 30-3-04 Received on 30-3-1904	Seen & returned. The alteration is to our benefit. P.K. 31.3.1904

MGCPB—500—8.6.03.

16909/31.3.04.

31/3.04

Submitted to His Highness.

The recommendation of the Excise Board has been made in view to the following reasons - The Order also explains the alteration of the words "at the strength down to 15° U.P." are proposed to be altered to "at 15° U P ordinarily but with the special permission of the Excise Board at specified lower strengths" - The object is to prepare liquor of lower strengths than 15° U.P and enable it to take the place of low foreign deleterious liquors - The change is in the direction here and may be sanctioned

1.4.04

Ex 345-8 26/2/04. 1

MYSORE GOVERNMENT, 1904 26 FEB. 1904 GENERAL & REVENUE SECRETARIAT.

From P. Purnaiya Esquire B.a
Excise Commissioner
in Mysore

To L. Anantasawmi Row Esquire B.a
Offg. Secretary to the Government
of His Highness the Maharaja of Mysore
General and Revenue Department

SECTION SR
FILE No. 1460602-04
SERIAL No. 1

Dated 22nd
Despatched 25th } February 1904.
Received
General No. 6736
No. 264
Enclosure No. 1

Subject

Submits an amendment of Rule XII relating to the Vend of Foreign liquors.

Encl
26.2.04

No: 6736/264 Rue/

Excise Commissioner's Office
Bangalore, dated 22nd February 1902

From

R. S. Ramaiya Esquire B.a
Excise Commissioner
in Mysore.

To

L. Anantasawmi Row Esquire B. a. S.T.
Offg. Secretary to the Government
of His Highness the Maharaja of Mysore
General and Revenue Departments.

Sir,

In forwarding copy of letter No. a/118 dated 9th December last, from the Agent of Messrs Arbuthnot and Co. arrack manufacturing Contractors, requesting Sanction to issue their Special liquors at a strength of 20°20.P. I have the honour to submit that at present under Rule XII of Government Notification No: 11469/Ex.73.1901 dated 10th January 1902 (Rules for regulating the Sale of Foreign Liquors) holders of licenses, except the outstill tavern license to sell draught Malt liquors, have power to sell double distilled or rectified spirits

Spirits at strengths down to 15° U.P and other
Special liquors manufactured in the Mysore
Government Central Distillery at the same strength
A demand is springing for our Distillery
double distilled and Special liquors of a reduced
strength on account of their improved quality
and as unlike imported European Liquors, full
duty is collected on these, the benefit for State
revenue is quite apparent. I therefore Solicit
that the words of Rule XII may be altered as
follows:-

From	To
Licenses granted under Rule II, except the retail tavern license to sell draught Malt liquors, shall include power to Sell doubled distilled or rectified Spirits at strengths down to 15° U.P. and other Special liquors	Licenses granted under Rule II except the retail tavern license to sell draught Malt liquors shall include power to Sell double distilled or rectified Spirits and other Special liquors manufactured in the Mysore Government Central Distillery at 15° U.P, ordinarily, but within the

le quors manufactured. the Special permission
in the Mysore Government of the Excise Commissioner
at specified lower strengths
Central Division

I have the honour to be,

Sir,

Your Most obedient Servant,

M Murray Jr.

Excise Commissioner

in Mysore.

Govt. Central Distillery

Bangalore City

9th December 1903.

Encl 1

No. A/118

From

A. Forrester Esqr.

Agent Messrs Arbuthnot & Co.

To.

P. N. Purnaiya Esqr. B.A

Excise Commissioner in Mysore

Bangalore.

Sir,

As I understand you have promised to pass orders for our special liquors to be issued in the case of the city of Bangalore, at a strength of 20° U.P., I have the honor to request that formal sanction, and orders may be passed on same, when I anticipate a largely increased sale.

At present the Foreign Liquor shop-keepers are handicapped by being restricted to 15° U.P., for in the neighbouring Cantonment much weaker strengths are sold of Foreign — Imported Spirit to the detriment

of

of the Impore Abkari Revenue.

I have etc

(Sd) A. Forrester.

"Copy"

R. Gopalacharyal

for Excise Commissioner

Mdu. in Impore.

7 (2)

Mysore Govt. Gen. & Rev. Secretariat,
Excise Branch.

File No. (if any) and its date—

SECTION SRJ
FILE NO. 14608 03
SUB NO. 2

Draft for appl. of Govt
23/4/04

25/4/04

Office Draft.

Progs. of the Govt. of H. H. the Maharaja of Mysore.

Read:
Letter No 6736/264 dt 22/25th Feb. '04 from the Excise Commissioner in Mysore, submitting a proposal for the amendment of rule XII of the Rules regulating the Sale of Foreign Liquors, published in Govt. Notification No 11469/E.F.3-1901 dt 10th Janry. 1902

Order: No 708-17/E.F.3-1901. dt 26/4/04
The Govt. of H. H. the Maharaja of Mysore approve of the amendment proposed and direct that the following Notification will be published in the Official Gazette.

2. The Excise Commissioner

Commission is re-
-quested to submit
a draft notification
for the such amendment
of Rules V.(2) & (9) of the Rules under the Queen's Reg^n contained
in Notfn No 11387 dt 8/1/02 as may be
E.7.3-1901 re-
-cessitated by the above
amendment in the
Foreign Legion rules.

If the Order

23/4/04

Offg. Secretary
Genl & Rev Deptt.

23/4/04

To

The Excise Commissioner Lucknow
The Controller of Opium
The Deputy Commissioners
of Excise.

Amended Notification

9 (20)

Notification

No 718 Ep.7.3-01 Bangalore 26/4/04

In exercise of the powers conferred by Section 29 of the Mysore Excise Regulation V of 1901 and in exercise of all other powers, enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are pleased to make the following amendments in the Foreign Liquor Rules, published under Government Notification No 1146 Ep. 7.3-1901 dt 10th January 1902:

In Rule XII for

"at strength 20 to 15° under-proof and other special liquors manufactured in the Mysore Government Central Distillery"

Substitute - "and other special liquors manufactured in the Mysore Government Central Distillery at 15° under-proof ordinarily, but-